

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent of Eric Wood
Patent No. 6,337,114
Issued January 8, 2002
Confirmation No. 6152
For FLEXIBLE LINING WITH FLEXIBLE COLLAR FOR LINING LATERAL PIPELINES

April 4, 2011

REQUEST FOR ISSUANCE OF CERTIFICATE
OF CORRECTION UNDER 37 CFR 1.322

TO THE COMMISSIONER FOR PATENTS,

SIR:

On studying the above-identified patent, the errors listed below were found. The errors are also noted on the attached form PTO/SB/44.

On the face of the patent, under the section Related U.S. Application Data, the text "on Sep. 10, 1992" should read --as application No. PCT/GB91/00628, filed on Apr. 22, 1991--.

The face of the patent should include a section --Foreign Application Priority Data--, under which --Apr. 23, 1990 [GB] United Kingdom 9009073.9-- should be listed.

REMARKS

Correction of the errors noted above is requested pursuant to 37 CFR 1.322. The records of the Office clearly disclose the errors occurred through fault of the Patent Office.

On September 30, 1997, the applicant filed a copy of the Declaration attached hereto as Appendix A with the initial filing of the application that matured into the present patent. The Declaration notes priority to PCT/GB91/00628, filed April 22, 1991, and GB 9009073.9, filed April 23, 1990.

On August 25, 1998, the applicant filed the Communication attached hereto as Appendix B in which the applicant claimed priority under Sections 119 and 363 to British application No. 9009073.9 and PCT/GB91/00628.

On December 10, 1998, the Office acknowledged the claim for foreign priority, as indicated in the Office Action Summary of the Office action attached hereto as Appendix C.

The copy of the bibliographic data sheet for the above-referenced patent attached hereto as Appendix D clearly indicates the Office acknowledged and verified priority to the PCT and GB applications noted above. However, the Office failed to include indication of priority to the PCT and GB applications on the face of the published patent.

We respectfully request that a Certificate of Correction or Corrected Patent be issued. No charges are believe to be due with this request. However, the undersigned grants permission to charge Deposit Account No. 19-1345 for any charges necessary to process and grant this request.

Respectfully submitted,

/Kurt F. James/

Kurt F. James, Reg. No. 33716
SENNIGER POWERS LLP
100 North Broadway, 17th Floor
St. Louis, Missouri 63102
(314) 345-7010

Appendix A

DECLARATION FILED WITH US DESIGNATED OFFICE UNDER 35USC371(c)(4)
(For either a sole inventor or joint inventors)

As a below named sole inventor or joint inventor, I hereby declare that:
My residence and post office address are as stated below my name;
I verily believe I am the original, first and sole inventor (if only one name is listed below) or
a joint inventor (if plural inventors are named below) of the invention entitled:

"IMPROVEMENTS RELATING TO THE LINING OF PIPELINES OR PASSAGEWAYS"

the specification of which is attached and which was filed as PCT International Application No.
PCT/GB91/00628 on 22 April 1991 and was amended on 20/03/92 (if applicable).

I have reviewed and understand the contents of the above identified specification, including the
claims, as amended by any amendment referred to above; I acknowledge my duty to disclose
information which is material to the examination of this application in accordance with Title 37,
Code of Federal Regulations 1.56(a); I hereby claim foreign priority benefits under Title 35 USC
119 of any foreign application(s) for patent or inventor's certificate or of any PCT
international application(s) designating at least one country other than the United States of
America listed below and have also identified below any foreign application(s) for patent or
inventor's certificate or any PCT international application(s) designating at least one country
other than the United States of America filed by me on the same subject matter having a filing
date before that of the application(s) of which priority is claimed:

Country	Application Number	Date of Filing (day,month,year)	Priority claimed Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
GB	9009073.9	23 April 1990	

I appoint Fred C. Philpitt (with full power of substitution and revocation) (R.N.16,825); A.M.Lowe
(R.N.19,641); R.L.Price (R.N.22,685); R.E.LeBlanc (R.N. 17,219); S.A.Becker (R.N.26,527);
I.Gopstein (R.N.27,333); B.J.Hauptman (R.N.29,310); D.C.Casey (R.N.24,022); K.E.Krosin
(R.N.25,735); C.N.Nirmel (R.N. 30,408); H.D.Kozlowski (R.N.30,468); H.J.Strauss (R.N.32,443);
M.S.Gzybowski (R.N.32,816); G.Z.Rubinson (R.N.33,351); R.G.Lev (R.N.30,280); J.G.Mullins
(R.N.33,073); K.E.George (R.N.34,111); A.P.Demers (R.N.32,660); E.J.Wise (R.N.34,523);
C.N.Brody (R.N.33,613) of Lowe,Price,LeBlanc & Becker to prosecute this application and to
transact all business in the United States Patent and Trademark Office connected therewith.

Send all correspondence to FRED PHILPITT, 99 Canal Center Plaza, Suite 300, Alexandria, VA 22314.

I hereby declare that all statements made herein of my own knowledge are true and that all
statements made on information and belief are believed to be true; and further that these
statements were made with the knowledge that willful false statements and the like so made are
punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States
Code, and that such willful false statements may jeopardize the validity of the application or any
patent issuing thereon.

Typed Full name of sole or first joint inventor ERIC WOOD

Inventor's Full Signature [Signature] Date: 3/5/92 Citizenship UK

Residence and Post Office Address Witch's Mill, Arbory Road
Castletown, Isle of Man

Typed Full name of second joint inventor _____

Inventor's Full Signature _____ Date: _____ Citizenship _____

Residence and Post Office Address _____

Typed Full name of third joint inventor _____

Inventor's Full Signature _____ Date: _____ Citizenship _____

Residence and Post Office Address _____

Typed Full name of fourth joint inventor _____

Inventor's Full Signature _____ Date: _____ Citizenship _____

Residence and Post Office Address _____

Typed Full name of fifth joint inventor _____

Inventor's Full Signature _____ Date: _____ Citizenship _____

Residence and Post Office Address _____

Appendix B

#7



Docket No. ITI-138C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eric Wood (deceased)
Serial No.: 08/941,605
Filed: September 30, 1997
For: FLEXIBLE LINING WITH FLEXIBLE COLLAR FOR
LINING LATERAL PIPELINES
Examiner: Jennifer M. Hayes
Group Art Unit: 1772

Date: August 25, 1998

**COMMUNICATION CLAIMING PRIORITY
UNDER 35 U.S.C. §§119 AND 363**

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicant hereby expressly claims priority under 35 U.S.C. §§119 and 363 of British
application No. 9009073.9 filed on April 23, 1990.

EXPRESS MAIL CERTIFICATE 37 CFR 1.10

Date of Deposit August 25, 1998

Express Mail Label No. EM201360972US

I hereby certify that this paper is being deposited
with the U.S. Postal Service "Express Mail Post Office
to Addressee" service under 37 CFR 1.10 on the date
indicated above and is addressed to Commissioner of
Patents and Trademarks, Washington, D.C. 20231

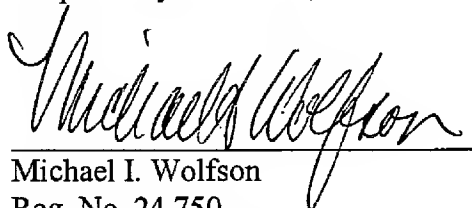
Michael I. Wofford
Name of Person Mailing

Michael I. Wofford
Signature

The right to this priority is based on the facts that this application is a divisional of pending application No. 08/599,045, filed on February 9, 1996, which is a divisional of then pending application Serial No. 08/394,622, filed on February 27, 1995 and is now U.S. Patent No. 5,624,629, which was a continuation of then pending application Serial No. 07/934,678, filed on September 10, 1992, which was the United States national phase filing of PCT/GB91/0062 filed on April 22, 1991 and changed priority of British application No. 9009073.9, filed on April 23, 1990 and was published as WO 91/16568. A copy of PCT publication WO 91/16568 is annexed for the convenience of the Office.

If there is any question relating to grant this priority, kindly contact the undersigned.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michael I. Wolfson", is written over a horizontal line.

Michael I. Wolfson
Reg. No. 24,750
Attorney for Applicant
COWAN, LIEBOWITZ & LATMAN, P.C.
1133 Avenue of the Americas
New York, NY 10036-6799
(212) 790-9200

Appendix C



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/941,605	09/30/97	WOOD	E ITI-1380

MICHAEL I WOLFSON
COWAN LIEBOWITZ & LATMAN
1133 AVENUE OF THE AMERICAS
NEW YORK NY 10036

IM71/1210

EXAMINER

HAYES, J

ART UNIT

PAPER NUMBER

1772

DATE MAILED:

12/10/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/941,605

Applicant(s)

Wood

Examiner

Jennifer Hayes

Group Art Unit

1772



☒ Responsive to communication(s) filed on Aug 25, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 9-11 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 9-11 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☒ received in Application No. (Series Code/Serial Number) 07/934,678

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 1772

DETAILED ACTION

Response to Amendment

1. The terminal disclaimer filed on 8/25/98 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US 5,692,543 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 102

2. The rejections made under this section in the previous Office Action are withdrawn in view of the Applicant's assertion of his claim for priority. The following are new art rejections.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claim 9 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Long, Jr. et al. (US 5,108,533). Long Jr. et al. teach a flexible tubular member impregnated with a thermoplastic resin and a flexible retainer secured thereto which is ultimately positioned within the main pipe proximate the service pipe terminal end. (Abstract). The flexible tubular member is preferably constructed of a felt fabric which is a fibrous material. While the tube of Long, Jr. et al. meets the limitations of the presently claimed invention, the phrases, "capable of being impregnated" and "adapted to engage and conform" do not serve as positive limitations which serve to patentably distinguish the present invention from the prior art since only the ability to perform the stated functions.

Art Unit: 1772

Claim Rejections - 35 USC § 103

5. The rejections made under this section in the previous Office Action are withdrawn in view of the Applicant's assertion of his claim for priority. The following are new rejections.

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Long, Jr. et al. as applied above. Long, Jr. et al. do not specifically teach the liner including further reinforcement at the junction between the tubular fibrous material and the collar or a beaded end for reinforcement. However tubular reinforcement materials are well known to those of ordinary skill in the art. Additionally, Long, Jr. et al. do teach that the flexible tube may have a reinforced portion to be secured to metal grommets by flame bonding, sewing, or adhesive so that the grommets cannot readily pull or tear through the felt fabric of the tube. (Col. 6, lines 13-26).

Similarly the felt fabric of the tube is preferably secured to the flexible retainer by sewing, adhesive or flame bonding. (Col. 6, lines 48-56). It would have been obvious to one of ordinary skill in the art to use a reinforced portion of the tube at the junction between the retainer and the tube in a similar fashion as the portion to be secured to metal grommets to prevent tearing of the felt fabric which would render the tube useless. A beaded end for reinforcement would have been an obvious matter of design choice well within the purview of the skilled artisan.

Art Unit: 1772

Double Patenting

8. The double patenting rejections made in the previous Office Action are withdrawn in view of the Terminal Disclaimer filed 8/25/98 which has been deemed proper and is recorded.

Response to Arguments

9. Applicant's arguments with respect to claims 9-10 and newly added claim 11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer M. Hayes whose telephone number is (703) 308-9545. The examiner can normally be reached on Monday through Friday from 7:00 a.m. to 4:30 p.m. If the attempts to reach the Examiner are unsuccessful, the examiner's supervisor, Ellis P. Robinson, can be reached by dialing (703) 308-2364.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose phone number is (703) 308-0661. The fax phone number for this group is (703) 305-5408.

jmh
jmh

Ellis P. Robinson
Ellis Robinson
Supervisory Patent Examiner
Technology Center 1700

December 7, 1998

Notice of References CitedApplication No.
08/941,605Applicant(s)
WoodExaminer
Jennifer HayesGroup Art Unit
1772

Page 1 of 1

U.S. PATENT DOCUMENTS

	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A	5,108,533	4/28/92	Long, Jr. et al.	156	294
B					
C					
D					
E					
F					
G					
H					
I					
J					
K					
L					
M					

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N						
O						
P						
Q						
R						
S						
T						

NON-PATENT DOCUMENTS

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U		
V		
W		
X		

Appendix D

08/941,605
 428
 Class: 428
 Subclass: 345
 ISSUE CLASSIFICATION
 6337114
 6337114

UTILITY SERIAL NUMBER	PATENT DATE JAN 08 2002	PATENT NUMBER
SERIAL NUMBER 08/941,605	FILING DATE 09/30/97 RULE 60	CLASS 428 SUBCLASS 345
GROUP ART UNIT 6621 1772 1305		EXAMINER HATCS NOLAN

ERIC WOOD, CASTLETOWN, UNITED KINGDOM, DECEASED.

CONTINUING DATA**
 VERIFIED THIS APPLN IS A DIV OF 08/599,045 02/09/96 PAT 5,975,878
 WHICH IS A DIV OF 08/394,622 02/27/95 PAT 5,624,629
 WHICH IS A CON OF 07/934,678 09/10/92 PAT 5,393,481

FOREIGN APPLICATIONS***
 VERIFIED PCT/GB91/00628, filed 04/22/91
 G.B. Appln. 9009073.9, filed 04/23/90

NOTE-DISCLAIMER
 The term of this patent shall not extend beyond the expiration date of Pat. No. 5692543

CPA

Foreign priority claimed 35 USC 119 conditions met	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	AS FILED	STATE OR COUNTRY GBX	SHEETS DRWGS. 2	TOTAL CLAIMS 2	INDEP. CLAIMS 1	FILING FEE RECEIVED \$770.00	ATTORNEY'S DOCKET NO. TI-138C
VERIFIED AND ACKNOWLEDGED MICHAEL I WOLFSON COWAN LIEBOWITZ & LATMAN, P.C. 1133 AVENUE OF THE AMERICAS NEW YORK NY 10036-0671 1144 Avenue of the Americas #12								
TITLE FLEXIBLE LINING WITH FLEXIBLE COLLAR FOR LINING LATERAL PIPELINES U.S. DEPT. OF COMM/PAT. & TM-PTO-438L (Rev. 12-94)								

11/27/01 Formal Drawings (2 sheets) set 1 9/30/97	
PARTS OF APPLICATION FILED SEPARATELY	APPLICATOR'S EXAMINER
NOTICE OF ALLOWANCE MAILED 7-30-01	CLAIMS ALLOWED Total Claims 4 Print Claim 1
ISSUE FEE Date Paid 10-17-01	DRAWING Sheets Drwg 2 Figs. Drwg 7 Print Figs 1
DISCLAIMER LABEL SERIAL NO. 08/941605 FILING DATA 9-70-97	SANDRA M. NOLAN Assistant Examiner HAROLD PYON SUPERVISORY PATENT EXAMINER 1772 PREPARED FOR ISSUE
WARNING: The information disclosed herein may be restricted. Unauthorized disclosure may be prohibited by the United States Code Title 35, Sections 122, 181 and 368. Possession outside the U.S. Patent & Trademark Office is restricted to authorized employees and contractors only.	

Form PTO-438A (Rev. 8-92)

SCAN 6
 OKUC
 TO

Formal Drawings sheets
 ISSUE FILE IN FILE

(FACE)

PATENT NUMBER

APPLICATION SERIAL NUMBER

APPLICANT'S NAME (PLEASE PRINT)

IF REISSUE, ORIGINAL PATENT NUMBER

INTERNATIONAL CLASSIFICATION

ORIGINAL CLASSIFICATION

CROSS REFERENCE(S)

ISSUE CLASSIFICATION SLIP

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

08/941 605

WOOD

7

63/34

63/36

CLASS

SUBCLASS

428 36.9

CLASS

SUBCLASS

(ONE SUBCLASS PER BLOCK)

138 277 98

156 294

GROUP
ART. UNIT

1772

ASSISTANT EXAMINER (PLEASE STAMP OR PRINT FULL NAME)

Andrew M. Nolan

PRIMARY EXAMINER (PLEASE STAMP OR PRINT FULL NAME)

HAROLD V. PYLE

PTO 270
(REV. 5-81)